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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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11/26/2003

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EXAMINER

PESIN, BORIS M

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

12/08/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/722,186	Applicant(s) KAMASAKI ET AL.	
	Examiner BORIS PESIN	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 13-16 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 13, 14 and 19 is/are allowed.
- 6) ☒ Claim(s) 15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 9/30/2008.

Claims 1-9, 13-16 and 19 are pending in this application. Claims 1, 2, 3, 7, 13, 14, 15, 16, and 19 are independent claims. In the amendment filed 9/30/2008, Claims 19 were amended. This action is made Non-Final because a 101 rejection should have been made in the previous action.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 15 and 16 are rejected under 35 U.S.C. 101 because they do not claim statutory subject matter. Claims 15 and 16 are directed to the program itself, not a process occurring as a result of executing the program, a machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with the program in a manner which enables the program to act as a computer component and realize its functionality. It is also clearly not directed to a composition of matter. Therefore, it is non-statutory under 35 USC 101.

Allowable Subject Matter

Claims 1-9, 13-14 are allowed.

The following is a statement of reasons for the indication of allowable subject matter as previously stated:

Re claims 1, 4-6, 8-9. prior arts do not teach or suggest the combination of a touch-panel keyboard with the display part displaying first and second screens, displaying a plurality of sort keys and one first key or a plurality of first keys, switching the first screen to the second screen in response to an operation of one sort key of the plurality of sort keys, with changing the color of said one first key or said plurality of first keys on the first screen to colors different from the color of said one first key or said plurality of first keys, on the second screen and displaying said one second key or said plurality of second keys displayed correspondingly to the operated sort key with the same color as the color of the operated sort key on the second screen.

Re claims 2, 3, 7, prior arts do not teach or suggest the combination of a touch-panel keyboard with the display part displaying first and second screens, displaying a plurality of sort keys and one first key or a plurality of first keys, the display control part setting the first and second screens on the display part, displaying the plurality of sort keys having different colors and said one first key or said plurality of first keys which are the same color as the color of the sort keys correspondingly to the plurality of sort keys, switching the first screen to the second screen in response to an operation of one sort key of the plurality of sort keys, and displaying said one second key or said plurality of second keys displayed correspondingly to an operated sort key with the same color as the color of the operated sort key on the second screen.

Re claims 13, 14, prior arts do not teach or suggest the combination of a display method of a touch-panel keyboard displaying the first screen, displaying a plurality of sort keys having different colors and one first key or said plurality of first keys which are

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the same color as the color of the sort keys, switching the first screen to the second screen in response to an operation of one sort key of the plurality of sort keys, and displaying one second key or a plurality of second keys displayed correspondingly to an operated sort key with the same color as the color of the operated sort key on the second screen.

Re claim 19 prior arts do not teach or suggest the a display screen, comprising: a first sort key having a first color and second sort key having a second color; a first set of keys corresponding to the first sort key and having the first color; and a different set of keys from the first set of keys, corresponding to the second sort key and having the second color; and a second display screen switched to be displayed from the first display screen when the first sort key of the first display screen is selected and comprising: the first and second sort keys having the first and second colors, respectively; the first set of keys corresponding to the selected first sort key and having a color different from the first color; and a second set of keys corresponding to the selected first sort key and having the first color.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Boris Pesin/
Examiner, Art Unit 2174